

**Amendment and Response under 37 C.F.R. 1.116**

Applicant: Travis J. Parry et al.

Serial No.: 09/756,356

Filed: January 8, 2001

Docket No.: 10002904-1

Title: WIRELESS RETAIL PURCHASING SYSTEM USING A MOBILE COMPUTING DEVICE

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**IN THE CLAIMS**

Please cancel claim 11.

Please amend claims 1 and 23 as follows:

1. (Currently Amended) A method of wirelessly electronically performing a near-site purchase from a drive-up restaurant using a mobile computing device, the method comprising:

automatically establishing a direct, wireless communication link between the mobile computing device and the drive-up restaurant upon the mobile computing device entering into proximity to the drive-up restaurant to perform the following actions:

receiving at the mobile computing device from the drive-up restaurant a menu of food items and displaying the menu on a display of the mobile computing device; and

transmitting from the mobile computing device a purchase request to the drive-up restaurant to purchase at least one food item based on the menu displayed at the mobile computing device; and

receiving at the mobile computing device from the drive-up restaurant a confirmation of the requested items and displaying the confirmation of the purchase request on the display of the mobile computing device.

2. (Previously Presented) The method of claim 1, further comprising sending a request from the mobile computing device to the drive-up restaurant to receive the menu of food items available for purchase.

3. (Previously Presented) The method of claim 1, comprising performing the near-site purchase as an on-site purchase between the mobile computing device and the drive-up restaurant.

4. (Previously Presented) The method of claim 1, further comprising picking up the purchased items from the drive-up restaurant.

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5. (Original) The method of claim 4, further comprising paying for the purchased items via the mobile computing device.
6. (Previously Presented) The method of claim 5, wherein the paying step further comprises sending a secure electronic payment to the drive-up restaurant for the purchased items.
7. (Previously Presented) The method of claim 6, wherein sending secure payment comprises paying electronically by at least one of a credit card, a debit card, an electronic funds transfer, and a checking account.
8. (Cancelled)
9. (Previously Presented) The method of claim 1, wherein the communicating step further comprises establishing an independent direct electronic link between the mobile computing device and the drive-up restaurant for permitting wireless electronic communication therebetween independent of a communication network.
10. (Cancelled)
11. (Cancelled)
12. (Previously Presented) The method of claim 1, wherein receiving the menu comprises receiving the menu of food items immediately upon establishment of the communication link.
13. (Original) The method of claim 1, wherein the mobile computing device comprises at least one of a personal digital assistant, a laptop computer, and a mobile phone.

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14. (Original) The method of claim 1, wherein mobile computing device includes voice recognition capability.

15. (Previously Presented) The method of claim 1, further comprising providing the mobile computing device with one or more active display pages for activating functions to transact a purchase with the drive-up restaurant including at least the following functions: menu request page, item selection page, purchase request page, and payment selection page including authorization.

16. (Withdrawn) A method of wirelessly electronically identifying an on-site or near-site retail purchase within a multiple retail unit center using a mobile computing device comprising:

wirelessly electronically communicating between the mobile computing device and one or more retail units within the retail center to perform following functions:

sending a request from the mobile computing device to the retail units within the retail unit center to identify select items available for purchase from the retail units within the retail center; and

receiving at the mobile computing device from at least one of the retail units an identification of select items available for purchase at the retail unit.

17. (Withdrawn) The method of claim 16, further comprising sending a request from the mobile computing device to the retail unit to purchase the identified items.

18. (Withdrawn) The method of claim 17, further comprising receiving at the mobile computing device a confirmation from the retail unit of purchase of the items.

19. (Withdrawn) The method of claim 18, further comprising sending electronic secure payment for the purchased items from the mobile computing device to the retail unit.

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20. (Withdrawn) The method of claim 16, further comprising receiving at the mobile computing device mapping and routing information sent from the retail units regarding location of each retail unit in the retail center.

21. (Withdrawn) The method of claim 16, further comprising establishing a wireless electronic communication link between the mobile computing device and an electronic communication center of the retail center in addition to communication between the mobile computing device and the retail units.

22. (Previously Presented) A system for identifying and transacting a wireless electronic near-site retail purchase comprising:

a mobile computing device comprising a display;

a drive-up restaurant including a wireless communication module for direct wireless electronic communication with the mobile computing device; and

a direct wireless communication link between the mobile computing device and the drive-up restaurant that is activated automatically between the mobile computing device and the drive-up restaurant upon arrival of the mobile computing device near the premises of the drive-up restaurant;

wherein the mobile computing device is configured to, via the direct wireless communication link, receive a menu from the drive-up restaurant and display the menu on the display of the mobile computing device, transmit a purchase order of food items to the drive-up restaurant based on the menu displayed on the mobile computing device, receive a confirmation of the purchase order at the mobile computing device from the drive-up restaurant and display the confirmation on the display of the mobile computing device.

23. (Currently Amended) A wireless purchasing appliance comprising:

a mobile computing device including a display and a wireless communication module configured for automatic local wireless communication with a drive-up restaurant to receive a menu of food items from the drive-up restaurant, display the menu on the display, transmit a purchase request to the drive-up restaurant of at least one food items from the displayed

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menu, and receive a confirmation of the purchase request and display the confirmation on the display.

24. (Previously Presented) The system of claim 22 wherein the near-site purchase is an on-site purchase.